

AMENDMENT ONE
DESIGN-BUILD SERVICES AGREEMENT
JOINT PUBLIC SAFETY TRAINING CAMPUS
Phase 1A – Outlot Restaurant Area
CONTRACT NUMBER: PS3056

This Amendment to Agreement Number **PS3056** (“**Amendment**”) is entered into as of July 5, 2023, by and between **Public Building Commission of Chicago**, a municipal corporation organized and operating under the Constitution of the State of Illinois and having its principal office at Room 200, Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602 (“**Commission**”), and **BOWA Construction** with offices at 7050 South Stony Island, Chicago, Illinois 60649 (“**BOWA**” or “**Design-Builder**”) and hereby amends the Agreement for Design-Build Services for the Joint Public Safety Training Campus: Phase 1A Outlot Restaurant Area (the “**Agreement**”) dated October 6, 2021, between the Commission and the Design-Builder as further set forth herein. Collectively, PBC and BOWA or Design-Builder are referred to herein as the “**Parties**.”

RECITALS

WHEREAS, the Commission, on behalf of the City of Chicago Department of Assets Information and Services (“**AIS**”), has undertaken the planning, design, and construction of the Joint Public Safety Training Campus: Phase 1A Outlot Restaurant Area (the “**Project**”) located at 4443 West Chicago, Chicago, Illinois; and

WHEREAS, the Commission requires certain design-build services (“**Services**”) described in this Agreement for the Project; and

WHEREAS, at its regular meeting on October 1, 2020, the Board of Commissioners of the Public Building Commission of Chicago (PBC Board) approved a Formulation Request with AIS in the amount of \$250,000; and

WHEREAS, at its regular meeting on October 6, 2021, the PBC Board approved a Revised Undertaking with AIS for the Project in the amount of \$15,500,000; and

WHEREAS, at its regular meeting on October 6, 2021, the PBC Board approved the appointment of BOWA to be the Design-Builder for the Project; and

WHEREAS, at its regular meeting on April 11, 2023, the PBC Board approved a Revised Undertaking with AIS for the Project in the amount of \$17,950,000; and

WHEREAS, the Commission approved an Initial Guaranteed Maximum Price (“**GMP**”) of \$12,235,815 with BOWA for the Project; and

WHEREAS, the Commission and Design Builder desire to amend the Agreement to establish a revised GMP in the amount of **\$15,611,507.08** (including the \$12,235,815 previously approved) as provided in this Amendment that is within the authorized PBC Board authority for the Project; and

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NOW THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Commission and Design-Builder, the Parties hereby agree to amend the Agreement and establish the Project GMP as follows:

AMENDMENT

I. TERMS AND CONDITIONS

The recitals set forth are hereby incorporated in and made a part of the Agreement.

II. COMPENSATION

DELETE the form in Exhibit 17 of the Agreement “Guaranteed Maximum Price (GMP) Project Cost Proposal Cost Form and **REPLACE** with the “Amendment One Guaranteed Maximum Project Cost Form”

Execution of this Amendment by the Design Builder is duly authorized by the Design Builder and the signature(s) of each person signing on behalf of the Design Builder have been made with the complete and full authority to commit the Design Builder to all terms and conditions of this Amendment.

All terms not defined herein shall have the meaning ascribed to them in the Agreement. Except as and to the extent that the terms of the Agreement are amended and modified herein, all terms of the Agreement shall remain in full force and effect.

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JPSTC: Phase 1A – Outlot Restaurant Area

Amendment ONE

Guaranteed Maximum Price (GMP) Project Cost Form

Description	Cost
1. General Conditions	<u>\$1,250,696.00</u>
2. Payment and Performance Bond & Insurance Payment and Performance Bond <u>\$147,487.15</u> Insurance <u>\$147,487.15</u>	<u>\$294,974.30</u>
3. Design Phase Services (including but not limited to services and deliverables associated with the following areas: architecture, engineering, LEED, commissioning, utilities, wayfinding, traffic, associated permitting as required; and coordination of the entitlement (Planned Development) process.	<u>\$1,250,702.17</u>
4. Cost of the Work Cost of Construction (including Pre-Construction Services, General Requirements, Building Construction, Site Development, and Utility Work within contract limits) + Owner Allowances + Design-Builder's Contingency + Commission's Contingency Cost of Construction* <u>\$11,321,459.35</u> Site Work Allowance <u>\$125,000.00</u> CCTV Allowance <u>\$0.00</u> Design-Builder's Contingency <u>\$225,000.00</u> Commission's Contingency (owner directed changes and unforeseen conditions) <u>\$350,000.00</u>	<u>\$12,021,459.35</u>
5. Design-Builder's Fee (percentage of the total value of Line 3 + Line 4) 5.98%	<u>\$793,675.26</u>
6. The GMP Project Cost for the design and construction of JPSTC: Phase 1A – Outlot Restaurant Area will be the added values of Lines 1 + 2 + 3 + 4 + 5.	<u>\$15,611,507.08</u>

*GMP Project Cost Proposal Cost Form may be adjusted based upon the actual costs of the Project. Any unused remaining and/or excess amounts for all categories and/or line items (1 – 6) including, but not limited to contingencies and allowances will be retained in the Project's Budget. In no event will the costs to design, construct, and deliver the Project exceed the GMP as more fully described in the Agreement.

Signature: _____

Date: _____

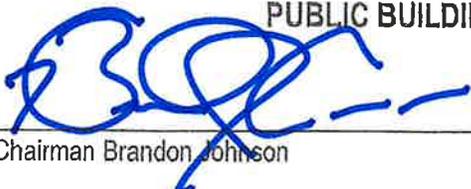
8/1/23

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IN WITNESS WHEREOF, the parties hereto have agreed and executed this **Amendment 1**.

ATTEST:

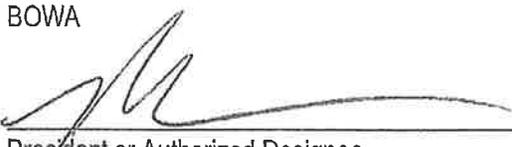
PUBLIC BUILDING COMMISSION OF CHICAGO


Chairman Brandon Johnson


Secretary Mary Pat Witry

Date: 8/2/2023

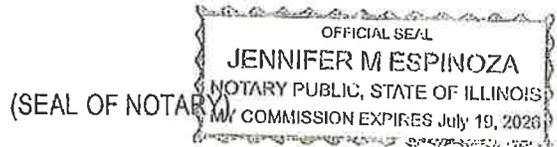
DESIGN-BUILDER

BOWA

President or Authorized Designee

Date: 8/1/23

Subscribed and sworn to me this 1st day of August, 2023.


Notary Public Signature



My Commission expires: 07/19/2026

Approved as to form and legality:


Neal & Leroy, LLC

Date: 8-1-23